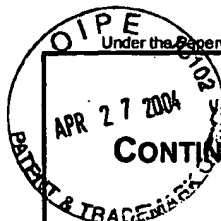


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RCE(3748) BS



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PTO/SB/30 (09-03)  
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

|  |                        |                    |
|--|------------------------|--------------------|
| <b>REQUEST<br/>FOR<br/>CONTINUED EXAMINATION (RCE)<br/>TRANSMITTAL</b><br>Address to:<br>Mail Stop RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Application Number     | 09/856,654         |
|  | Filing Date            | October 12, 1999   |
|  | First Named Inventor   | Aloys Wobben       |
|  | Art Unit               | 3745               |
|  | Examiner Name          | James M. McAleenan |
|  | Attorney Docket Number | 970054.406USPC     |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☒ Other Supplemental Information Disclosure Statement filed on February 11, 2004.
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1090.
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 770 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.

|  |                  |                                   |                |
|--|------------------|-----------------------------------|----------------|
| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b> |                  |                                   |                |
| Name (Print /Type)   | Susan D. Betcher | Registration No. (Attorney/Agent) | 43,498         |
| Signature  |                  | Date                              | April 27, 2004 |

|   |                           |      |  |
|---|---------------------------|------|--|
| <b>CERTIFICATE OF MAILING OR TRANSMISSION</b>   |                           |      |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450 Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. |                           |      |  |
| Name (Print /Type)  | **SENT VIA EXPRESS MAIL** |      |  |
| Signature   |                           | Date |  |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Match and Return**

|   |  |                      |                     |                |
|---|--|----------------------|---------------------|----------------|
| <b>FEE TRANSMITTAL</b><br><b>for FY 2004</b><br>Patent fees are subject to annual revision. |  | Complete if Known    |                     |                |
|   |  | Application Number   | 09/856,654          |                |
| Notice of claims small entity status. See 37 CFR 1.27.                                      |  | Filing Date          | October 12, 1999    |                |
|   |  | First Named Inventor | Aloys Wobben        |                |
|   |  | Examiner Name        | James M. McAleenan  |                |
| TOTAL AMOUNT OF PAYMENT (\$)  |  | 770                  | Attorney Docket No. | 970054.406USPC |

| METHOD OF PAYMENT  |  |
|--|--|
| <input checked="" type="checkbox"/> Payment Enclosed:<br><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other  |  |
| <input type="checkbox"/> Deposit Account:<br>Deposit Account Number: 19-1090<br>Deposit Account Name: Seed Intellectual Property Law Group PLLC  |  |
| The Director is authorized to (check all that apply)<br><input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments<br><input type="checkbox"/> Charge any additional fee(s) during the pendency of this application<br><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee<br><input checked="" type="checkbox"/> Charge any deficiencies to the above-identified deposit account. |  |

| FEE CALCULATION     |          |              |          |                        |          |
|---------------------|----------|--------------|----------|------------------------|----------|
| 1. BASIC FILING FEE |          |              |          |                        |          |
| Large Entity        |          | Small Entity |          |                        |          |
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) | Fee Description        | Fee Paid |
| 1001                | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002                | 340      | 2002         | 170      | Design filing fee      |          |
| 1003                | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004                | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005                | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1)        |          |              |          |                        | (\$ 0)   |

| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE |          |              |                |  |        |
|---|----------|--------------|----------------|--|--------|
| Total Claims                                |          | Extra Claims | Fee from below | Fee Paid   |        |
| Independent Claims                          |          |              |                |  |        |
| Multiple Dependent                          |          |              |                |  |        |
| Large Entity                                |          | Small Entity |                |  |        |
| Fee Code                                    | Fee (\$) | Fee Code     | Fee (\$)       | Fee Description  |        |
| 1202  | 18       | 2202         | 9              | Claims in excess of 20                                     |        |
| 1201  | 86       | 2201         | 43             | Independent claims in excess of 3                          |        |
| 1203  | 290      | 2203         | 145            | Multiple dependent claim, if not paid                      |        |
| 1204  | 86       | 2204         | 43             | ** Reissue independent claims over original patent         |        |
| 1205  | 18       | 2205         | 9              | ** Reissue claims in excess of 20 and over original patent |        |
| SUBTOTAL (2)                                |          |              |                |  | (\$ 0) |

\*\*or number previously paid, if greater; For Reissues, see above

| FEE CALCULATION (continued)       |          |              |          |  |              |          |
|-----------------------------------|----------|--------------|----------|--|--------------|----------|
| 3. ADDITIONAL FEES                |          |              |          |  |              |          |
| Large Entity                      |          | Small Entity |          |  |              |          |
| Fee Code                          | Fee (\$) | Fee Code     | Fee (\$) | Fee Description  | Fee Paid     |          |
| 1051                              | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |              |          |
| 1052                              | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |              |          |
| 1053                              | 130      | 1053         | 130      | Non-English specification  |              |          |
| 1812                              | 2520     | 1812         | 2520     | For filing a request for ex parte reexamination                            |              |          |
| 1804                              | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |              |          |
| 1805                              | 1840*    | 1805         | 1840*    | Requesting publication of SIR after Examiner action                        |              |          |
| 1251                              | 110      | 2251         | 55       | Extension for reply within first month                                     |              |          |
| 1252                              | 420      | 2252         | 210      | Extension for reply within second month                                    |              |          |
| 1253                              | 950      | 2253         | 475      | Extension for reply within third month                                     |              |          |
| 1254                              | 1480     | 2254         | 740      | Extension for reply within fourth month                                    |              |          |
| 1255                              | 2010     | 2255         | 1005     | Extension for reply within fifth month                                     |              |          |
| 1401                              | 330      | 2401         | 165      | Notice of Appeal   |              |          |
| 1402                              | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |              |          |
| 1403                              | 290      | 2403         | 145      | Request for oral hearing   |              |          |
| 1451                              | 1510     | 1451         | 1510     | Petition to institute a public use proceeding                              |              |          |
| 1452                              | 110      | 2452         | 55       | Petition to revive - unavoidable   |              |          |
| 1453                              | 1330     | 2453         | 665      | Petition to revive - unintentional   |              |          |
| 1501                              | 1330     | 2501         | 665      | Utility issue fee (or reissue)   |              |          |
| 1502                              | 480      | 2502         | 240      | Design issue fee   |              |          |
| 1503                              | 640      | 2503         | 320      | Plant issue fee  |              |          |
| 1460                              | 130      | 1460         | 130      | Petitions to the Commissioner  |              |          |
| 1807                              | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |              |          |
| 1806                              | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |              |          |
| 8021                              | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |              |          |
| 1809                              | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |              |          |
| 1810                              | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |              |          |
| 1801                              | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    | 770          |          |
| 1802                              | 900      | 1802         | 900      | Request for expedited examination of a design application                  |              |          |
| Other fee (specify) _____         |          |              |          |  |              |          |
| *Reduced by Basic Filing Fee Paid |          |              |          |  | SUBTOTAL (3) | (\$ 770) |

| SUBMITTED BY      |                  | Registration No. | Customer Number |
|-------------------|------------------|------------------|-----------------|
| Name (Print/Type) | Susan D. Betcher | 43,498           | 00500           |
| Signature         |                  | Date             |                 |
|                   |                  | April 27, 2004   |                 |

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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